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Letter dated 28 November 2007 from the Secretary-General to the President of the Security Council

I have the honour to transmit herewith the ninth report of the International Independent Investigation Commission, which was prepared pursuant to Security Council resolutions 1595 (2005), 1636 (2005), 1644 (2005), 1686 (2006) and 1748 (2007).

The report provides the Security Council with an overview of the progress made by the Commission since its previous report to the Council, dated 12 July 2007, in the investigation of the assassination of former Lebanese Prime Minister Rafiq Hariri and 22 others on 14 February 2005. The report also provides details of the assistance provided by the Commission to the Lebanese authorities in the investigation of 18 other bombings and assassinations in Lebanon since October 2004, including the assassination of Antoine Ghanem, a Member of Parliament, and five others on 19 September 2007. The report also highlights some of the measures the Commission has taken to prepare for the handover of its activities to the Special Tribunal for Lebanon at the time when the Tribunal begins functioning.

I wish to take this opportunity to reiterate my sincere thanks to Commissioner Serge Brammertz for his outstanding leadership of the Commission since his appointment in February 2006. I also wish to convey my thanks to the Commission's personnel, who have continued to show commitment and dedication in carrying out this important mission. I also would like to thank the Government of the Republic of Lebanon for its continued cooperation and support.

I should be grateful if you would bring this matter to the attention of the members of the Security Council. Meanwhile, I am transmitting the report to the Government of the Republic of Lebanon.

(*Signed*) **Ban** Ki-moon

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Ninth report of the International Independent Investigation Commission established pursuant to Security Council resolutions 1595 (2005), 1636 (2005), 1644 (2005), 1686 (2006) and 1748 (2007)

Serge Brammertz
Commissioner

Beirut
November 2007

Summary

The Security Council requested the International Independent Investigation Commission to report to it every four months on the progress of its inquiry, including cooperation received from the Syrian authorities.

The present report outlines the progress made since 12 July 2007 in the investigation into the assassination of former Lebanese Prime Minister Rafiq Hariri as well as the technical assistance provided to the Lebanese authorities in their investigations into 18 other cases, notably the assassination of Member of Parliament Antoine Ghanem on 19 September 2007.

Building on the consolidation of all of its findings conducted in the previous reporting period, the Commission has focused on the implementation of detailed workplans in all areas of the investigations. The pace and progress of the Commission's activities have been encouraging and have allowed the Commission to reach a satisfactory understanding in a growing number of investigative areas and to refine its investigative priorities for the coming months.

As the scope of its investigations narrows, the Commission is taking an increasingly cautious approach to the management of information. This approach is being taken to protect the integrity both of the investigation and of any future legal process and to ensure the security of individuals who cooperate or desire to cooperate with the Commission as well as the security of the staff of the Commission.

During this reporting period, the Commission also continued to prepare for the transition to the Office of the Prosecutor of the Special Tribunal for Lebanon at the time when the Tribunal begins functioning. The activities of the Commission in this regard include specific investigative and analytical projects and preparations for the transfer of the Commission's data, files, documents and exhibits.

Since its previous report to the Council (S/2007/424), the Commission has continued to work closely with the Lebanese authorities and has received generally positive responses when seeking assistance from Lebanon and the Syrian Arab Republic as well as other States.

Despite the mitigating measures put in place, the tense political and security environment in Lebanon continues to have an impact on the activities of the Commission.

I. Introduction

1. The present report is submitted pursuant to Security Council resolutions 1595 (2005), 1636 (2005), 1644 (2005), 1686 (2006) and 1748 (2007), in which the Council requested the International Independent Investigation Commission to report every four months to the Council on the progress of its inquiry, and on international cooperation, including the cooperation received from the Syrian authorities.

2. This report, the ninth report issued by the Commission, provides an update on issues covered in previous reports to the Council and notes the progress made in the work of the Commission since its last report of 12 July 2007 (S/2007/424).

3. During the reporting period, the security and political situation in Lebanon remained very tense. At the time of the finalizing of the present report, Lebanon's parliament had not elected a new president to replace President Emile Lahoud, whose term expired on 23 November 2007. Although the security situation remained relatively calm during this crisis, the country's security forces are on high alert, braced for a possible deterioration if the ongoing deadlock is not broken. The reporting period was also marked by a number of security incidents, most significantly the assassination of Member of Parliament Antoine Ghanem and five other persons on 19 September 2007.

4. As reported in the Commission's last submission to the Council, the focus during the previous reporting period was on bringing together all of the Commission's information, findings and recommendations on all the ongoing investigations. That consolidation produced a number of comprehensive, confidential reports, including a 2,000-page report on the Hariri investigation. That intensive exercise has enabled the Commission to inventory its current holdings, assess the evidence and identify remaining gaps in the investigation as well as potential new leads. These internal reports, which are kept up to date, will be one of the major tools in the transition from the Commission to the Office of the Prosecutor of the Special Tribunal for Lebanon.

5. Building on the consolidation efforts, the focus for the reporting period shifted to the implementation of the detailed 150-page workplans which were developed based on the consolidated reports. Despite several organizational challenges faced by the Commission, the rate of progress has been encouraging, with 109 interviews conducted in the past four months.

6. As the investigation into the assassination of former Lebanese Prime Minister Rafiq Hariri and 22 others on 14 February 2005 progresses, the Commission has increasingly been able to narrow the scope of the investigation by drawing more precise preliminary conclusions regarding the circumstances surrounding the crime while excluding certain previously held hypotheses. Thanks to the progress made during the reporting period, the Commission has reached a satisfactory understanding in a growing number of investigative areas, developed certain new investigative leads and identified additional persons of interest.

7. As the scope of the investigations narrows and as investigative priorities are refined, the Commission is taking an increasingly cautious approach to the management of information linked to the investigations. This approach is being taken in order to protect the integrity of the ongoing investigations as well as the legal process in the light of the upcoming transition to the Special Tribunal for

Lebanon. The Commission is also obliged to maintain the confidentiality of the investigative process to avoid compromising investigative techniques and tactics which, if known, could hinder the progress of the investigations.

8. Moreover, the Commission is mindful of the need to avoid undue influence, whether real or perceived, on potential or future witnesses in particular by providing information which may allow the identification of the source of such information. It is of paramount importance to the Commission that the confidentiality of those persons who cooperate or desire to cooperate with the Commission be maintained. The Commission also acknowledges potential safety concerns related to persons directly or indirectly identified as persons of interest who may have been involved in some aspects of the preparation and commission of the crimes or who may have known that a plan to carry out the crimes was being prepared. The Commission is also mindful of its duty to protect the security of its own staff and has therefore implemented a number of additional security measures designed to protect the Commission's staff and maximize information security management.

9. In the light of this approach, the present report should be seen by the Council as a general overview of the activities of the Commission during the past four months rather than as a comprehensive account of the progress made to date in the investigations. This approach is taken in full agreement with the Lebanese judicial authorities.

10. Following the adoption of Security Council resolution 1757 (2007), in which the Council called for the establishment of a Special Tribunal for Lebanon, the Commission has been preparing to hand over its work to the Office of the Prosecutor of the Tribunal when the Tribunal begins functioning. The Commission has been particularly active in preparing the transfer of its sizeable electronic data holdings to the Office of the Prosecutor. The Commission has also worked with the team set up to oversee the transition to establish the first elements of a witness-protection programme adapted to the specific circumstances of the Tribunal. In addition, the Commission is working with the transition team on some important administrative aspects of the handover between the two institutions.

11. Throughout the reporting period, the Commission maintained close and collegial interaction with the Lebanese authorities on all matters related to its work. With regard to its requests for assistance, the Commission has continued to receive generally satisfactory responses from all States, including the Syrian Arab Republic. The Commission notes that, in order to implement its mandate, it continues to depend on the full and timely cooperation of all States.

II. Progress in the investigations

A. Hariri investigation

12. Since its previous report to the Council, the Commission has continued to devote most of its resources to the investigation into the assassination of Rafiq Hariri. As outlined in the Commission's most recent report, detailed workplans were drawn up based on an extensive consolidation effort which brought together the Commission's considerable information and findings on all aspects of the Hariri investigation. These workplans identified the priority objectives to be pursued by

the Commission before the end of its current mandate and in preparation for the transition to the Special Tribunal for Lebanon in each area of the investigation. As foreseen, the focus of the Commission in this reporting period has been the implementation of these workplans.

13. Progress has been encouraging. Of the more than 200 priority interviews identified in the Hariri investigation, 70 were conducted during this reporting period, both in Lebanon and abroad. The Commission has taken a number of other conclusive investigative steps, in particular in the fields of forensics and communications analysis, which have significantly advanced the Commission's understanding of the events of 14 February 2005 and allowed the identification of additional persons of interest.

1. Crime scene and associated topics

14. Regarding the crime-scene-related aspects of the investigation, the Commission has resolved a number of remaining issues during the reporting period. Since its previous report to the Council, the Commission has conducted 26 witness interviews in relation to the Hariri crime-scene investigations and received the results of several forensic examinations, which have helped it draw some additional preliminary conclusions.

15. Most of the forensics projects undertaken by the Commission have now been completed. Of the 66 forensic projects undertaken since January 2006 in the Hariri investigation, only 23 remain open, including eight new projects initiated during the reporting period. The Commission will focus its efforts in the next reporting period on obtaining the results of the remaining forensics projects in order to complete the extensive work undertaken in this area since 2005. As in other areas, all the new results will be added to the Commission's consolidated reports, which will be fully updated before the end of its mandate.

Improvised explosive device

16. As indicated in the Commission's previous report, all of the results and findings regarding the type and amount of explosives, the type of initiating device, the type and position of the container which carried the improvised explosive device and the exact time of the blast were brought together in one consolidated report. Newly available reports have confirmed the Commission's preliminary findings. The Commission is satisfied that it has conducted all possible and relevant comparisons of the type of explosives used in the attack. Thanks to the considerable progress made during the reporting period in addressing the remaining questions regarding the improvised explosive device, the Commission is satisfied that it has reached a comprehensive understanding of most of these aspects of the crime.

17. During the reporting period, specific emphasis was placed on tracing the origin of the explosives. The Commission is currently reviewing new information regarding persons, groups and institutions which may have had access to these types of explosives in the period preceding the attack. The Commission is also reviewing cases of possible disappearances of explosives in the period prior to the attack.

18. In addition, analysis based on newly available seismological data has allowed the Commission to draw meaningful comparisons between the seismological signals recorded by the National Centre for Geophysics in Lebanon following the explosion

in the Hariri case and other explosions, including some of the other cases in which the Commission is providing technical assistance to the Lebanese authorities, and to make a comparative analysis of those signals in order to evaluate and confirm the size of the blasts and other factual elements associated with each explosion. That data has been stored in a way that will allow for easy comparisons of the intensity and other specific characteristics of those different explosions.

19. Having undertaken additional investigative steps during the reporting period, the Commission is satisfied that the possibility that the improvised explosive device was delivered by aerial means can be excluded.

Mitsubishi van

20. Through the consolidation of all its findings in the previous reporting period, the Commission has reached a satisfactory understanding of the origin and recent history of the Mitsubishi Canter van used in the attack. In the reporting period, the Commission focused on the remaining questions regarding the sale of the van to its final users. Four additional interviews have been conducted since the Commission's last report to obtain a more precise understanding of the timeline and circumstances of that sale. The Commission has also obtained statements and documents which have allowed it to increase its appreciation of the sequence of transactions which led to the sale of the vehicle.

21. The Commission has information which indicates that two males purchased the vehicle using counterfeit identification documents. These individuals also provided false contact details to the vendor at the time of the purchase of the van. The Commission is working to identify them and to clarify their background and possible involvement in the crime.

22. The Commission is also still concentrating on the preparation phase of the vehicle. Given the scale and sophistication of the attack, loading the vehicle with the explosives and preparing it for the attack was likely to have been a lengthy process requiring the participation of several individuals, including individuals with experience in handling explosives. Several interviews are planned for the next reporting period to advance this line of inquiry. The Commission's findings based on exhibits found at the crime scene suggest that the explosives were covered with a wood plank in the loading platform of the Mitsubishi van. The Commission will continue its examinations to advance its understanding of the preparation of the vehicle for the attack and to finalize its understanding of the exact location and layout of the explosives.

Identity of the suicide bomber

23. The Commission has continued to refine its understanding of the geographic origin of the unidentified male presumed to have been the suicide bomber. As reported earlier, the Commission has been able to establish a more detailed profile of this individual's personal history.

24. Through odontological examinations, statistical comparisons of DNA profile distribution and comparative isotopic investigations, the Commission has developed one principal hypothesis regarding the specific area of the Middle East from which the unidentified male is thought to have originated. Expert findings received during the reporting period suggest that the presumed suicide bomber was exposed to

significant quantities of a specific type of lead, possibly through proximity to military ammunition, between the ages of 16 and 20. This could indicate that he was living close to either a conflict area or an area where weapons were used on a regular basis, such as a military training camp. New expert findings have provided additional information on the possible place of birth of the unidentified male as well as further details on the location where he may have spent his childhood. The Commission is awaiting the results of further forensic examinations to confirm these findings.

25. Although this line of inquiry has already produced very useful results and continues to be promising, the Commission remains mindful that these initial conclusions must be carefully interpreted and the limitations clearly understood. These results will need to be further explored in the next reporting period, in conjunction with other areas of the investigation, in order to advance this line of inquiry.

26. The results obtained in the reporting period concerning the origin of the presumed suicide bomber have led the Commission to turn its attention to persons who match the unidentified male's characteristics and who entered Lebanon during the time period under consideration. This project entails the analysis of the more than 2 million entry records obtained by the Commission. In addition, the Commission is currently examining the missing-person records held by a number of countries. These large-scale, resource-intensive projects will continue in the next reporting period.

Other forensic issues

27. As indicated in the Commission's previous report to the Council, the Commission has brought together more than 330 DNA profiles, 160 fingerprints and 24 sketches of persons of interest to the investigations which have been collected in the course of the Commission's investigations. These have all been placed in searchable databases which have recently become operational and are used by the Commission to carry out comparisons with similar existing national and international criminal databases. These comparisons have started to yield some significant results by generating new avenues for investigation and, equally importantly, allowing the Commission to close down other investigative tracks.

28. Progress has been made in completing the Commission's exhibits database. So far, more than 3,000 physical and biological exhibits accumulated in the course of the investigations have been entered into the database, and the Commission will aim to finalize this project in the next reporting period. This database will be linked to a project involving a three-dimensional visualization of the crime scene.

29. In order to ensure the integrated and coordinated management of the exhibits in preparation for the transition to the Tribunal, the Commission has assumed custody of most of the remaining forensic exhibits from the Hariri crime scene, some of which were previously held by the Lebanese authorities. The Commission will complete a review and inventory of these items and carry out additional forensic examinations where appropriate.

Other crime-scene investigations

30. The Commission's consolidation efforts have allowed it to establish the circumstances regarding the route taken by Rafiq Hariri's convoy, the composition of the convoy on the day of the attack, the status of the jamming devices used in the convoy vehicles, the circumstances regarding the slight delay of the convoy at a point on the route between parliament and the Saint Georges Hotel, the presence of suspicious road works near the Saint Georges Hotel, the presence of specific vehicles on or near the crime scene, as well as the alleged tampering with the crime scene and obstruction of the investigation. The Commission is also satisfied that it has compiled a comprehensive list of individuals who were informed of the convoy's movement on the day of the assassination.

31. During the reporting period, the Commission continued to gather more details about the activities of Rafiq Hariri in the period immediately prior to his death. The Commission has conducted eight witness interviews — including interviews with several individuals who were in close contact with Rafiq Hariri in the days before the attack — in the past four months to advance this line of inquiry.

32. The Commission is continuing to gather additional information on all the individuals and vehicles present at or close to the crime scene on the day of the attack. The Commission recently acquired large amounts of additional video footage of Hariri's activities in the days before the attack. This footage, which includes 61 newly obtained clips filmed in the 14 months prior to the attack, is proving useful in identifying several individuals who came into contact with Hariri in the period before the crime and in advancing the Commission's understanding of the timeline of events in the days preceding the crime.

33. The Commission has also acquired new closed-circuit television footage showing several locations around the crime scene and other significant locations covering time periods before and after the attack. This new footage is currently being reviewed, and wherever possible, enhanced and analysed with the assistance of international experts. The review of this footage has been incorporated into the Commission's sizeable holdings of closed-circuit television and other imagery.

2. Individuals involved in the commission of the crime

Ahmed Abu Adass

34. Following the consolidation of the Commission's findings on Ahmed Abu Adass, the individual appearing in the video claim of responsibility for the assassination of Rafiq Hariri, the Commission is satisfied that it has reached a comprehensive understanding of the background, family circumstances, political and religious views and employment history of Ahmed Abu Adass. As indicated in the Commission's previous report and based on its findings to date, the Commission has concluded that Ahmed Abu Adass is not the suicide bomber who carried out the attack on Rafiq Hariri.

35. A number of aspects regarding the role Ahmed Abu Adass played in the crime remain under active investigation by the Commission. Through 16 interviews in the reporting period, forensic analyses and other investigative steps, the Commission has reached a more detailed comprehension of the activities of Ahmed Abu Adass in the years preceding the crime, particularly those activities which brought him into

contact with one or more persons linked to known extremist groups. In particular, progress has been made in establishing the identity of the individual who is believed to have disappeared with Ahmed Abu Adass on 16 January 2005.

36. The Commission is awaiting results from a number of important examinations which are expected to shed more light on the links between Ahmed Abu Adass, his associates and the assassination of Rafiq Hariri.

37. The Commission has also made considerable progress during the reporting period in establishing the sequence of events which led to the broadcast of the video claim of responsibility on the Al-Jazeera television channel. In particular, the Commission has increased its understanding of the sequence and content of a series of calls to the Al-Jazeera bureau in Beirut placed on the day of the attack as well as the subsequent recovery of the videotape by Al-Jazeera staff. On the basis of information regarding the accents and vocabulary used by the individuals who placed the calls to Al-Jazeera, the Commission's preliminary conclusions confirm that at least some of those individuals may not have been native Arabic speakers. This remains under investigation. In addition, the Commission has reviewed and analysed closed-circuit television footage covering the location where the videotape was placed and identified some images which present a particular interest to the investigation.

38. The Commission has processed the 30 fingerprints found on the videotape and associated materials and is currently identifying, by a process of elimination, potential suspects or other persons who may have touched the tape during its recording or delivery. To date, 13 fingerprints have been identified as belonging to members of law enforcement agencies or the media and hence have been excluded from suspicion.

39. The Commission has also traced the videotape used to record the claim of responsibility. The Commission has confirmed that the tape was produced in China. The tape was subsequently distributed by a company based in the Republic of Korea in November 2003 as part of a batch of 27,000 tapes which were exported to Lebanon. The Commission is currently attempting to establish the chain of transactions leading to the sale of the tape to its final user. This will continue to be explored in the next reporting period.

Communications analysis

40. One of the principal investigative tools used by the Commission in the Hariri investigation, as well as in the other cases where it is providing technical assistance to the Lebanese authorities, continues to be the analysis of very large volumes of call records, text messages and other forms of telecommunications data. The Commission has recently devoted additional technical and human resources to this aspect of the investigations. Currently, the Commission is working on a data set in excess of 6.5 billion call records covering various time frames of interest to the investigations.

41. The communications analysis components of the investigations continue to form an essential tool to test and support findings and conclusions developed in other areas of the investigation. The analysis of call records in particular is an essential part of the preparation of witness interviews.

42. The Commission has continued to advance its enquiries into the individuals who appear to have been using a small number of mobile cellular telephone SIM cards to conduct surveillance on Rafiq Hariri in the period leading up to the attack. The Commission has conducted a number of interviews and other investigative activities regarding the sale of the SIM cards and a number of telephone handsets to these individuals. The Commission has focused on one particular area where the SIM cards are thought to have been sold. The Commission is now satisfied with its understanding of the role played by the individuals who sold these SIM cards.

43. Communications surveys of approximately 15 locations of relevance to the Hariri case were conducted during the reporting period. The objective of these surveys is to identify the cellular telephone towers which may have been providing coverage to cellular telephones of particular interest to the investigation at significant locations during specific periods of time. Further surveys are being conducted in order to complete the Commission's inquiries in this regard.

44. The results of the Commission's ongoing communication analysis work have been transferred into an analytical software format, which is the common platform used by most law enforcement organizations. This allows the data and the analysis to be easily searchable and transferable.

3. Motives and persons of interest

45. As described in the Commission's previous report, considerable efforts have been made since the establishment of the Commission to reach a comprehensive understanding of the factors which are likely to have shaped the environment from which the motive to assassinate Rafiq Hariri emerged. Based on the critical review of the Commission's holdings on possible motives, the Commission is satisfied with progress made so far in this area.

46. As detailed in the Commission's consolidation reports, the Commission has largely narrowed down the possible motives for the assassination to those linked to Rafiq Hariri's political activities in the months and years leading up to his death. During the reporting period, the Commission continued to expand its understanding of the relevance of several political events to the possible motives. These events include the adoption of Security Council resolution 1559 (2004) and the possible or perceived role played by Rafiq Hariri in the inception and implementation of that resolution, the extension of President Emile Lahoud's mandate and the proposed reform of the electoral law, as well as Rafiq Hariri's political posture regarding the 2005 parliamentary elections.

47. As indicated previously, the Commission is continuing to evaluate the relevance of attempts made to facilitate a rapprochement between Rafiq Hariri and certain other individuals with whom he may have been at odds in the period preceding his assassination. The Commission is now also satisfied with its inquiries into specific threats, warnings and assurances conveyed to Hariri regarding his safety in the months before the attack.

48. During the reporting period, 27 interviews were conducted and several other investigative steps were taken based on the action plans outlined in the Commission's previous report. The work of the Commission in this area during the reporting period has refined some of its working hypotheses regarding likely motives for the attack. The Commission has also worked to investigate and evaluate

how these possible motives may potentially link the other cases in which the Commission is providing technical assistance with the Hariri assassination.

49. While the Commission is now satisfied with its general understanding of these events and their relevance to possible motives for the crime, certain specific lines of inquiry will continue to be pursued into the next reporting period.

50. In addition, throughout the course of the investigation, the Commission has fulfilled its obligation to adequately examine and consider alternative hypotheses. As stated in the previous report, this includes the possibility that Hariri was targeted by extremist groups for several possible reasons, including the fact that he was widely seen as a leading figure in his community. As it cannot be excluded that the motive to assassinate Hariri may have arisen from a combination of political and sectarian factors, the Commission has continued to examine these issues in order to properly understand and assess the viability of each hypothesis. Given the possibility that a combination of factors may have influenced the motive to assassinate Hariri, the Commission is closely examining the possibility that two or more teams of perpetrators may have taken part in the preparation and commission of the attack.

51. Since the Commission's previous report, special emphasis has been placed on the analysis of the de jure and de facto structures of several organizations which present a particular interest to the investigation due to their role in Lebanon in the period leading up to the assassination. The Commission is continuing to examine the reporting lines, flows of information, means and operational capacities of these organizations during the period of interest to the Commission. This examination has given the Commission valuable insight and perspective into these organizations, which has proved essential to a proper understanding and evaluation of the situation that existed in Lebanon prior to the assassination.

52. In particular, a number of interviews conducted during the reporting period with senior Syrian and Lebanese officials have either confirmed or enhanced the Commission's understanding of the structures of some of these organizations and have led the Commission to further refine its investigative priorities. These interviews have also allowed the Commission to deepen its understanding of the level of cooperation which existed between Syrian and Lebanese security agencies during the period of interest.

53. The Commission has also deepened and broadened its understanding of the possible involvement of a number of persons of interest, including persons who have recently been identified by the Commission, who may have been involved in some aspects of the preparation and commission of the crime or who may have known that a plan to carry out the crime was being prepared. In addition to the progress made in linking various persons of interest to the commission of the crime, the Commission has also established links between some of these persons. This line of inquiry will continue to be a priority in the next reporting period.

B. Technical assistance in other cases

54. As mandated by the Security Council, the Commission has continued to provide technical assistance to the Lebanese authorities in their ongoing

investigations of 18 other cases, including the assassination of Member of Parliament Antoine Ghanem on 19 September 2007.

55. During the reporting period, the Commission focused on the implementation of the workplans developed on the basis of the consolidation of the Commission's information and findings on each of these cases. Of the 100 priority interviews identified in the workplans of the 18 cases, 40 were conducted in the reporting period. The Commission also conducted follow-up visits to the crimes scenes of the targeted attacks and to associated locations in order to complete further crime-scene assessments.

56. Taking into account the fact that the Commission's principal focus remains the Hariri assassination, as well as the limited resources it has to provide assistance to the Lebanese authorities in their investigations of a growing number of other cases, progress during the reporting period has been satisfactory.

57. During the reporting period, the Commission started to assemble crime reference reports for each of the 18 cases, commencing with the nine attacks targeted at Marwan Hamedeh, Samir Kassir, George Hawi, Elias El-Murr, May Chidiac, Gebran Tueni, Pierre Gemayel, Walid Eido and Antoine Ghanem. These reports bring together the most relevant statements, photographs, crime-scene sketches, forensic reports and other crime-related information for each case. While the consolidated reports have successfully focused and directed the investigation by identifying gaps and leads, the crime reference reports will provide a complementary resource which will enable investigators to easily access all relevant case-related material in a single location. These reports will be passed on to the Prosecutor of the Special Tribunal for Lebanon to allow the Prosecutor to evaluate the existence of any links in the light of the jurisdiction of the Tribunal.

58. In the past four months, the Commission has held meetings with each of the investigating judges in charge of the nine targeted attacks and the Prosecutor General to discuss investigative leads, evaluate the status of each investigation and identify areas where the Commission can provide additional technical assistance. The meetings also served to ensure that the steps taken by the Commission and by the Lebanese authorities are coordinated. These discussions have proved productive, and the results are currently being reviewed. Appropriate follow-up action will be taken by the Commission and the Lebanese authorities. Meetings with the investigative judges in the other cases are also being planned during the next reporting period. A large number of additional technical reports were recently handed over to the Lebanese authorities.

1. Areas of technical assistance

59. The Commission provided technical assistance to the Lebanese authorities in a number of areas, including the conduct of forensic examinations, communications analysis and witness interviews on the 18 cases. During the reporting period, the Commission sent 29 requests for assistance to the Lebanese authorities regarding these cases. The Commission has renewed its efforts to ensure that the results of the Commission's inquiries in the 18 cases are communicated promptly and regularly to the Lebanese authorities.

Forensic examinations

60. During the reporting period, the Commission conducted several key forensic examinations related to the 18 cases, some of which have yielded important results.

61. For these 18 cases, 39 forensic investigation projects were initiated, mostly related to crime-scene investigations, explosives analysis, fingerprint research, ballistic examinations, DNA profiling, bloodstain research, digital imaging, seismological analyses and forensic biological examinations. A total of 19 of these projects were completed, and the final results were shared with the Prosecutor General and the investigating judges.

62. The analysis of seismological data recorded by the National Centre for Geophysics in Lebanon allowed the Commission to conduct some useful comparisons on the seismological properties of the blasts in some of the non-targeted bomb attacks. This analysis shows, for example, that the seismic waves recorded after the explosions in Broumana, New Jdeidh and Jounieh show some similarities to the blast in the Hariri case and show different characteristics compared to the explosion in Zalka. These differences confirm some of the Commission's previous conclusions regarding the position and size of the improvised explosive devices used in each of these cases.

63. In the investigation of the assassination of Minister Pierre Gemayel, the Commission conducted several important new examinations during the reporting period. The Commission has conducted an analysis of several DNA profiles found on the crime scene and has isolated the DNA profiles of several unidentified individuals as belonging to potential perpetrators. Acting on a request for assistance from the Lebanese authorities, the Commission conducted extensive forensic examinations on the bodies of two deceased individuals considered as suspects based on witness interviews conducted by the Lebanese authorities. The Commission's expert findings indicate that the DNA profiles of these two deceased individuals do not match the DNA profiles of the unknown individuals identified as possible perpetrators.

64. In connection with the Gemayel investigation, the Commission has conducted detailed investigations on a black Honda CRV vehicle originally seized by the Syrian authorities and then handed over to the Lebanese authorities and which is suspected, according to one witness statement, of having been used by the perpetrators and of having come into contact with the victim's vehicle. International experts working with the Commission conducted extensive forensic examinations linked to this vehicle, including examinations of fingerprints, hair, fibre, glass, plastic and paint as well as analysis of gunshot residues, DNA sampling, detailed examinations of the vehicle's exhaust pipe and ballistic investigations. On the basis of preliminary results, the Commission is not able to draw meaningful conclusions at this stage on this vehicle's connection to the crime.

65. The Commission also obtained more detailed information regarding the different types of weapons used in the attack as well as bullet trajectories and the approximate location where each weapon was used. The Commission and the Lebanese authorities have conducted comparisons with similar weapons seized by the Lebanese authorities in other cases.

66. In the investigation of the Ain Alaq bus bombings of 13 February 2007, the Commission has conducted examinations of 175 exhibits recovered from the crime scene, including DNA samples, explosives samples, ball bearings and transfer traces. Among the 13 DNA samples taken from the crime scene, three particularly relevant genetic profiles have been obtained from four different locations on the buses. The DNA analyses conducted by the Commission in the Ain Alaq case have produced interesting results directly linked to possible perpetrators. The Commission has also reached some additional conclusions about the type and position of the improvised explosive device as well as the exact modus operandi used by the perpetrators. All results of these examinations have been provided and continue to be provided to the Lebanese authorities, which are in the process of prosecuting several suspects.

67. The Commission has obtained further results from examinations conducted on exhibits recovered from the scene where Member of Parliament Walid Eido was killed on 13 June 2007 in central Beirut. The Commission has transmitted to the Lebanese authorities a number of forensic reports containing information related to the explosives used, the vehicle which was allegedly used to carry the improvised explosive devices as well as the victim's vehicle.

Communications analysis

68. The Commission applies the same communications analysis techniques used in the Hariri case to the 18 other cases. During the reporting period, the Commission conducted cell site surveys of the locations where the nine non-targeted attacks occurred, in Kaslik; Sid-El-Bouchria; the Plaza shopping centre in Broummana; at the premises of the "Voice of Charity" radio station in Jounieh; on Monot Street in Ashrafieh; the Zalka area; Naoum Libki Street in Ashrafieh; Ain Alaq in the Metn region; and New Jdeidh. The data obtained from these surveys as well as data related to particularly relevant call records have been incorporated into the Commission's integrated communications analysis tools and are being analysed for each case. In addition to assisting the Commission in understanding the communications activities of potential perpetrators, it also allows for comparisons among the 18 cases and with the Hariri case itself.

2. Identification of linkages

69. In conjunction with the technical assistance provided to the Lebanese authorities in these cases, the Commission has focused on identifying possible links among these cases and between these cases and the Hariri case. The Commission continues to examine commonalities between the profiles of the victims, the modus operandi and the possible motives for these attacks. In order to assist in this endeavour, the Commission has successfully created several analytical tools and projects aimed at highlighting possible links as well as any potential differences between these cases.

70. During the previous reporting period, the Commission initiated a number of investigative projects which are common to both the Hariri investigation and the 18 other cases. These projects include forensic and communications analysis, comparisons of the type of explosive used, examinations of the vehicles used in some of the attacks, inquiries into possible commonalities in the supply and registration of vehicles used in several of the attacks, a comprehensive analysis of

the available data pertaining to the entry into and exit from Lebanon of certain individuals as well as other common analytical projects.

71. As outlined in the Commission's previous report to the Council, the Commission has given specific attention to the investigations into the possible motives for these crimes, in particular regarding the public and political activities of the victims of the targeted attacks, as it is likely that these may have played an important role in shaping the motives for the crimes. In order to advance this line of inquiry, and among other common projects, the Commission has initiated a media analysis project which will examine the public stances, declarations, statements and articles by or about the victims of the targeted attacks. This project, which will also include the Hariri investigation, will be developed in the next reporting period.

72. By evaluating the evidence obtained thus far and utilizing the analytical tools and projects described above, the Commission has been able to focus the ongoing investigations on the most productive lines of inquiry establishing links.

73. Investigative steps taken during the reporting period have confirmed the Commission's hypothesis that operational links may exist among some of the possible perpetrators of these different crimes. These inquiries will be pursued as a priority in the next reporting period, bearing in mind the Commission's approach regarding the management of sensitive information. Additionally, the consolidated reports, supported by the crime reference reports, will be updated to reflect advances made in each of the cases and the identification of potential links.

74. These tools and resources will ultimately assist the transition to the Special Tribunal for Lebanon by providing cogent information to the Office of the Prosecutor of the Tribunal which reflects both the investigative history of the cases as well as the analytical work of the Commission to date.

3. Antoine Ghanem case

75. On 19 September 2007, Member of Parliament Antoine Ghanem was killed along with five other persons when a car bomb exploded close to his vehicle as he was leaving a meeting in the Horsh Tabet area of eastern Beirut. More than 70 people were wounded in the attack. Ghanem, a member of the parliamentary majority, was the sixth Member of Parliament killed in Lebanon since 2005.

76. On 21 September 2007, following a request from Prime Minister Siniora to the Secretary-General, the Commission was mandated to provide technical assistance to the Lebanese authorities in their investigation into this attack. A team of experts from the Commission was immediately dispatched to the crime scene.

77. International forensics experts working with the Commission arrived on 22 September 2007 and worked for 10 consecutive days on the crime scene in coordination with the Lebanese authorities. A total of 108 exhibits were recovered, and most of them were sent for further scientific analysis. Although the investigation into this attack is still at an early stage, the Commission was able to isolate four DNA profiles of interest to the investigation as well as 12 shoe prints taken from locations which could have been used to conduct surveillance. Initial expert findings indicate that the type of explosive used in this attack was RDX. The Commission also determined the exact time of the explosion to be 17:21:12.

78. Two key interviews were conducted in this case, and several others are planned for the next reporting period. The Commission has also put together a profile of the victim and a timeline of the events preceding the attack. The Commission has started to examine possible links with other attacks.

79. Antoine Ghanem had returned to Lebanon from a prolonged trip overseas only three days prior to his assassination, indicating that the perpetrators had quickly established surveillance of his movements. At the time of the attack, Ghanem was leaving a meeting with a friend. The meeting had been scheduled on very short notice and lasted approximately one hour. The preliminary findings of the investigation indicate that, within a very short period of time, the perpetrators were able to conclude their surveillance and mobilize a vehicle-borne improvised explosive device in order to carry out the attack. This is an indication of the advanced operational capabilities of the perpetrators and may suggest that a number of vehicle-borne improvised explosive devices were prepared in advance, possibly in several locations, in order to be mobilized on short notice.

III. External cooperation

A. Interaction with the Lebanese authorities

80. The Commission interacts closely with the Lebanese authorities on matters related to both the Hariri case and the 18 other cases. Regular meetings are held between the Commission and the Prosecutor General and his staff and with the recently appointed investigating judge in charge of the Hariri case. During the reporting period, the Commission also met with all the investigating judges in charge of the investigations into the targeted attacks. These meetings with both the Prosecutor General and the investigating judges have provided an excellent opportunity to ensure cooperation and communication. Moreover, this close coordination will facilitate a smooth transition to the Special Tribunal for Lebanon.

81. During the reporting period, the Commission renewed its efforts to ensure that the Lebanese authorities are kept abreast of the Commission's activities and of the progress made in its investigations. The Commission has had regular meetings with the Lebanese authorities to coordinate activities and review evidence relevant to the investigations. In addition, the Commission has continued to share significant amounts of information with the Lebanese authorities, including witness interviews and forensic reports. The Commission has endeavoured to provide the competent Lebanese authorities with all the information collected by the Commission to enable them to make an independent assessment of the evidence acquired to date and to act in accordance with that assessment.

82. During the reporting period, 98 requests for assistance were sent by the Commission to the Prosecutor General requesting assistance in scheduling interviews, obtaining documents, providing access to exhibits and making arrangements for the Commission's activities in Lebanon. The Lebanese authorities have continued to respond fully to these requests, and the Commission is grateful for this productive cooperation.

83. The Commission also maintains a close working relationship with the Lebanese authorities which provide security to the Commission's staff and facilities.

The Commission is grateful to the Lebanese army and to the Internal Security Forces for their unfailing support.

B. Cooperation with the Syrian Arab Republic

84. In line with the obligations of the Syrian Arab Republic under Security Council resolutions 1636 (2005) and 1644 (2005), and the common understanding reached between the Commission and the Syrian Arab Republic in 2006, the cooperation of the Syrian Arab Republic with the Commission remains generally satisfactory.

85. A total of 11 requests for assistance have been addressed by the Commission to the Syrian Arab Republic in the past four months, bringing the total number of such requests addressed to the Syrian Arab Republic since January 2006 to 68. During the reporting period, the Syrian Arab Republic has provided the Commission with assistance in response to its requests within the appropriate time frames. The Commission also acknowledges the support provided by the Syrian Arab Republic in the organization of the Commission's various investigative activities in that country, including nine missions during this reporting period.

86. The Commission will continue to request the full cooperation of the Syrian Arab Republic in the discharge of its mandate.

C. Cooperation with other States

87. In the previous reporting period, 14 requests for assistances were sent to 11 States in addition to those sent to Lebanon and the Syrian Arab Republic, bringing the total number of requests for assistance addressed to other States since January 2006 to 120. When responses have been provided in full and on time, the Commission has been able to make considerable progress thanks to the assistance provided by these other States.

88. The Commission is grateful for the support, information and expertise it has received from a number of States and international institutions during the reporting period. As noted in the Commission's previous reports to the Council, the Commission will be able to effectively complete its mandate only if it can rely on the cooperation of all States to provide it with the support and information requested.

IV. Transition activities

89. Following the adoption of Security Council resolution 1757 (2007) calling for the establishment of the Special Tribunal for Lebanon, and in line with the report of the Secretary-General submitted pursuant to resolution 1757 (2007), the Commission has devoted resources in the reporting period to planning the handover of its work to the Office of the Prosecutor of the Special Tribunal for Lebanon. The Commission's activities in this regard are geared to ensuring a seamless transition between the two institutions.

A. Preparation of data, documents, files and exhibits

90. The Commission has undertaken several projects related to the management, storage and eventual handover of the substantial amounts of data, documents, exhibits and other information currently held by the Commission.

91. As indicated in the previous report to the Council, the Commission has carried out a thorough inventory of its data and documentary holdings. At the end of the reporting period, the Commission had collected approximately 1,500 gigabytes of data in approximately 850,000 files. In addition, the Commission has about 1,100 gigabytes of data related to its communications analysis work and 960 gigabytes of forensic data, including more than 40,000 pictures relating to the investigations.

92. The majority of the Commission's electronic data holdings are stored, retrieved and analysed using specialized analytical software. The process of importing the data into this software is both resource-intensive and time-consuming, but it is expected that once it is complete, this will be an important resource for the Office of the Prosecutor of the Special Tribunal for Lebanon.

93. The Commission also has large volumes of physical evidence and documents in its possession, as well as corresponding databases, which are being stored in order to facilitate access and transport while ensuring the integrity and chain of custody of this material.

94. As indicated previously, the Commission's consolidated reports comprehensively document the investigative history of each case. In addition, the Commission has started to compile crime reference reports which bring together all of the pertinent information, including witness interviews and photographs, for each case. These reports are designed to assist in the transition by providing the Special Tribunal for Lebanon with a comprehensive, organized, indexed and accessible resource for each case.

95. Procedures to ensure the integrity and ease of transfer of all of the information currently in the custody of the Commission are being put in place, and the Commission expects that such a transfer will be able to take place on relatively short notice. The Commission continues to work with the transition team established within the United Nations Secretariat on these issues.

B. Witness protection issues

96. As the Commission indicated in its previous report to the Council, measures to ensure the safety of possible witnesses who may be called upon to provide testimony to the Special Tribunal for Lebanon must be put in place in order to guarantee that potential witnesses can cooperate with the Tribunal without fear of retribution. In coordination with the transition team, the Commission has designed a draft witness-protection strategy which suggests some of the first steps to be taken towards the creation of a comprehensive witness-protection programme adapted to the specific circumstances of the transition to the Special Tribunal for Lebanon. This draft strategy will need to be refined and several additional steps taken before the programme can be implemented. The Commission stands ready to work with the transition team in order to ensure that this important aspect of the transition is in place at the appropriate time.

C. Administrative issues

97. The Commission has also started to prepare for the eventual completion of its mandate and the drawdown of its activities in Lebanon by updating its inventories and plans for the liquidation of its assets, in accordance with the appropriate United Nations regulations.

98. The Commission notes that the success of the transition from the Commission to the Special Tribunal for Lebanon will depend not only on an efficient handover of the Commission's findings and evidence but also on the institutional memory of the Commission. It is the view of the Commission that the Office of the Prosecutor of the Special Tribunal for Lebanon will be able to start working immediately and effectively if it can rely on the experience gained by the Commission's staff since 2005. The Commission is currently working with the transition team and the relevant United Nations departments to establish adequate bridging mechanisms between the two institutions.

V. Security

99. The reporting period was characterized by a high degree of tension and uncertainty about the political future of Lebanon. The most significant security incident since the Commission's previous report to the Council was the assassination of Member of Parliament Antoine Ghanem and five others on 19 September 2007.

100. On 2 September, the prolonged battle between the Lebanese Armed Forces and the Fatah al-Islam group in the Nahr al-Bared refugee camp near the northern city of Tripoli ended after several months of intense combat. More than 160 Lebanese army soldiers and over 220 Fatah al-Islam fighters were killed in combat. The fighting left the camp's infrastructure badly damaged and caused hundreds of families to be displaced. The situation in the Palestinian camps throughout Lebanon remains tense, with sporadic fighting between various Palestinian factions.

101. At the time of finalizing this report, despite weeks of protracted negotiations between the parliamentary majority and the opposition, Lebanon's parliament had not elected a new president to replace President Emile Lahoud, whose term expired on 23 November. Although the security situation remained calm in the immediate aftermath of the expiration of President Lahoud's mandate, the level of tension in Lebanon has risen considerably as a result of this situation, and the prospect of a rapid deterioration cannot be excluded.

102. Given the general political and security environment in Lebanon as well as certain other specific indirect threat warnings received by the Commission during this reporting period, the Commission, working in conjunction with the Lebanese authorities as well as other United Nations agencies in Lebanon, has conducted a thorough review of its security risk assessment, adopted additional security measures and increased the level of caution with which it conducts all of its activities.

103. Even with these additional precautions in place, this tense security environment continues to have a negative impact on the ability of the Commission to carry out its mandate.

VI. Organizational support

104. During the reporting period, the Commission faced some difficulties regarding staff retention owing to a degree of uncertainty regarding the future prospects of staff currently employed by the Commission given the expected transition to the Special Tribunal for Lebanon. Of the approved 188 international posts, 141 are filled, compared with 125 at the end of the previous reporting period. Of the 51 approved national posts in the Commission, 47 have been filled. The investigation division currently consists of 47 international staff, including 30 investigators, analysts and technical experts. The Commission expects that, given the short period of time remaining in its mandate and the expected transition, it may face some difficulties in retaining and recruiting staff in the next reporting period.

105. As highlighted in previous reports, the Commission also continues to face difficulties in attracting and retaining enough qualified language staff to interpret, translate and revise statements and documents into and from Arabic. At the end of the reporting period, 21 international language staff members were working for the Commission, seven on a part-time basis. Although some measures have been taken to remedy this situation, the Commission notes that this has been and remains an area of concern.

VII. Conclusions

106. As a growing number of investigative projects are concluded and as the investigations narrow, the Commission has taken an increasingly cautious approach to the management of information linked to the investigation. The Commission has implemented a number of measures in this direction and has sought to avoid jeopardizing the integrity of the investigation and the legal process as well as the safety of individuals by enforcing appropriate information-management procedures. As a result, the Commission is of the opinion that only limited information can be placed in the public domain regarding its ongoing investigations.

107. Since its previous report to the Council, the main focus of the Commission has been the implementation of the detailed action plans drawn up at the end of the previous reporting period. Thanks to the progress made in the past four months, the Commission is increasingly able to draw preliminary conclusions on an important number of aspects of the investigation of the assassination of Rafiq Hariri, including issues related to the crime-scene examinations, the type of improvised explosive device used, the Mitsubishi Canter van used in the attack and the individuals involved in the surveillance of Rafiq Hariri. The Commission has also advanced its understanding of the profile and involvement of Ahmed Abu Adass, the identity of the alleged suicide bomber and its grasp of the possible motives for the assassination of Rafiq Hariri. These steps have allowed the Commission to identify additional persons of interest to the investigation.

108. The Commission will devote the next reporting period to those areas of the investigation where a number of important questions remain unanswered. In particular, on the basis of its understanding in several areas of the investigation, including of the factors which may have shaped the motive to carry out the attack, the Commission will concentrate its efforts on continuing to establish additional links between crime-scene evidence, possible motives and persons of interest who

may have been involved in some aspects of the preparation and commission of the crime. Several promising avenues emerged in the previous reporting period and will be pursued as a priority.

109. The Commission has also continued to support the Lebanese authorities in their investigations in 18 cases of targeted assassinations and bombings in Lebanon since October 2004, including the assassination of Member of Parliament Antoine Ghanem on 19 September 2007. Despite the growing number of cases and limited investigative resources, the Commission has been able to provide the Lebanese judicial authorities with assistance, particularly in the area of forensic examinations and witness interviews. In line with the jurisdiction of the Special Tribunal for Lebanon, particular emphasis has been placed on identifying possible links and commonalities between the Hariri case and the other cases under investigation. Several results obtained during the reporting period have confirmed the Commission's hypothesis that operational links may exist between some of the possible perpetrators of these crimes. Confirming these links and establishing new links will also be a priority for the Commission in the next reporting period.

110. The Commission notes that evidence uncovered in the Hariri case and some of the other attacks, including the recent assassination of Antoine Ghanem confirms the fact that the perpetrators or groups of perpetrators had and still have advanced and extensive operational capacities available in Beirut and built on very specific expertise, equipment and resources.

111. During the past four months, the Commission has continued to enjoy a close and collegial working relationship with the Lebanese authorities, including the Prosecutor General and his staff and the investigative judges assigned to the different cases. The pace of the investigation has increased again during the reporting period, as highlighted by the number of interviews conducted and requests for assistance made, to which the Lebanese authorities have continued to respond fully.

112. The Commission also notes that the Syrian Arab Republic and other States have continued to provide responses to the Commission's requests for assistance. The Commission acknowledges these responses and reiterates its call on all States to provide the required information and support to the Commission in a timely manner.

113. Given the acute and ongoing political tension in Lebanon, as well as certain specific threats the Commission faces due to the nature of its mandate, the Commission is particularly grateful to the Lebanese Armed Forces for the protection they afford to the Commission's staff and premises. That support is essential to the Commission's ability to carry out its mandate effectively.

114. The Commission is actively preparing to hand over the results of its investigation to the Prosecutor of the Special Tribunal for Lebanon when the Tribunal starts functioning. The data, documents, files and exhibits held by the Commission are being inventoried, archived and packaged in a way which will facilitate handover and transport on short notice. The Commission is also working in cooperation with the team established to oversee the transition on a number of issues which will need to be addressed to ensure that the transition between the two institutions is successful.